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PATENT
Customer No. 22,852
Attorney Docket No. 08790.0011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
John P. DONOGHUE et al.	Group Art Unit: 3763
Application No.: 10/717,924	Examiner: Not yet Assigned.
Filed: November 21, 2003	
For: AGENT DELIVERY SYSTEMS AND RELATED METHODS UNDER CONTROL OF BIOLOGICAL ELECTRICAL SIGNALS	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached IDS Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign patent documents and non-patent literatures are attached. Copies of the U.S. patents and published U.S. patent applications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached IDS Form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 27, 2004

By: _____
Leslie I. Bookoff
Reg. No. 38,084

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Complete if Known	
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First Named Inventor	John P. DONOGHUE
Art Unit	3763
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

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		US-2001/0023368	9/20/2001	Black et al.	
		US-2001/0027336	10/4/2001	Gielen et al.	
		US-2001/0029391	10/11/2001	Gluckman et al.	
		US-2001/0051819	12/13/2001	Fischell et al.	
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		US-5,081,990	1/21/1992	Deletis	
		US-5,119,832	6/9/1992	Xavier	
		US-5,156,844	10/20/1992	Aebischer et al.	
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		US-6,006,124	12/21/1999	Fischell et al.	
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		US-6,309,410	10/30/2001	Kuzma et al.	
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Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

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Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation[6]
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				Application Number	10/717,924
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date	November 21, 2003
				First Named Inventor	John P. DONOGHUE
				Art Unit	3763
(Use as many sheets as necessary)				Examiner Name	Unassigned
Sheet	8	of	9	Attorney Docket Number	08790.0011

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